

APPLICATION REPORT – 20/00098/DIS

Validation Date: 3 February 2020

Ward: Pennine

Type of Application: Discharge of Condition(s)

Proposal: Application to discharge condition 17 (surface water drainage) attached to outline planning permission 13/01055/OUTMAJ (Outline application (specifying the access) for residential development comprising up to 83 dwellings with vehicular access to be taken from Royton Drive)

**Location: Land Bounded By Town Lane (To The North) And Lucas Lane (To The West)
Town Lane Whittle-Le-Woods**

Case Officer: Mike Halsall

Applicant: Redrow Homes

Consultation expiry: 2 March 2020

Decision due by: 30 June 2020

RECOMMENDATION

1. It is recommended that the application is approved.

SITE DESCRIPTION

2. The application site is located to the south of Town Lane and east of Lucas Lane, in Whittle-le-Woods. The M61 bounds the site to the east and there is an existing housing estate located to the west and south, through which site access is gained via Royton Drive at the southern end of the site.
3. The site comprises a matrix of small, irregularly shaped fields. Field boundaries are formed of hedges and hedgerow trees. The woodland character is most mature along Lucas Lane which is contained by a continuous tree group. There is an unbroken corridor of trees situated between the eastern boundary of the site and the motorway.
4. The levels of the site slope down gradually from the motorway, with steeper slopes at the north end of the site towards Town Lane and the west towards Lucas Lane East and Lucas House. The most southern part of the site where the existing riding school is located is relatively flat.
5. The site forms part of an allocated housing site within the Chorley Local Plan (2012-2026) and reserved matters consent (ref. 19/00830/REMMAJ) for 53 dwellings was granted earlier this year following the grant of outline planning permission (13/01055/OUTMAJ) for up to 83 dwellings.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. Both the outline planning permission and the reserved matters consent are subject to conditions. Condition 17 attached to the outline planning consent reads as follows:

17. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed 4.32 l/sec/ha. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site and reduce the run-off to the properties on Town Lane.

7. This application seeks to discharge the requirements of the above referenced planning condition only. The development of this site for housing has already been approved by the aforementioned consents and is not for consideration as part of this application.

REPRESENTATIONS

8. Whilst it is not standard practice to notify non-expert consultees on discharge of condition applications, the local residents association and Parish Council were notified in this instance as the case officer agreed to do so as part of the consideration of the reserved matters application. This was due to the level of local concern relating to flood risk. Notifications were sent at the start of the process and then again following the receipt of additional information from the applicant (as explained below).
9. A representation has been received from Whittle-le-Woods (Town Lane Neighbouring Land) Residents Association which included a photograph of flooding on Lucas Lane. The representation stated:

"I thought I would send you this photo from last Sunday (Storm Ciara) of Lucas Lane / Crostons Farm field near the culvert (NW of the site). The picture shows the water pouring onto Lucas Lane just past the culvert (its not in the right place) which we believe will still happen once the development is built as it cannot cope with heavy rain fall. This was after around 10hrs of constant rainfall."

CONSULTATIONS

10. United Utilities: Have responded to state that following their review of the submitted drainage layout drawing, they have no objection to the condition being discharged.
11. Lead Local Flood Authority (LLFA): Initially responded to request the following additional information:

Detailed design drawings, including;

- *Details of inlets and outlets in attenuation pond and watercourse*
- *Cross section drawing of flow control manhole*
- *Cross section drawing of watercourse outfall and attenuation pond. Attenuation pond drawing should also show 1 in 1 year, 1 in 30 year and 1 in 100 + climate change water levels.*
- *Long and cross section drawings of the proposed drainage system*
- *Outfall details drawing*

Sustainable drainage system flow calculations (PDF files showing input and output data for flow calculations) and storm simulation plan for:

- *1 in 1 year, 1 in 2 year, 1 in 30 year and 1 in 100 year + climate change*

Attenuation calculations

- *Breakdown of attenuation volume in pipeline and manholes*

Detailed Section 104 drawing showing all the drainage to be maintained by United Utilities. A lifetime management and maintenance plan will be required for any of the sustainable drainage features not maintained by United Utilities.

Following receipt and review of the above listed information by the flood risk engineer, the LLFA have responded with no objection to the discharge of condition 17.

12. Whittle-le-Woods Parish Council: Responded to request a clearer plan be uploaded to the application documentation (this was due to a scanned plan being uploaded, rather than the original pdf). The original plan was later uploaded, along with the raft of information listed above, no further response has been received from the Parish Council.

PLANNING CONSIDERATIONS

13. Paragraph 165 of the National Planning Policy Framework (the Framework) states:

“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.”*

14. Paragraph 080 of National Planning Practice Guidance: Flood Risk and Coastal Change sets out the following hierarchy of drainage options: into the ground (infiltration); to a surface water body; to a surface water sewer, highway drain or another drainage system; to a combined sewer.
15. Policy 29 of the Central Lancashire Core Strategy (2012) seeks to reduce risk of flooding by, amongst other things, appraising, managing and reducing flood risk in all new developments, encouraging the adoption of Sustainable Drainage Systems; and seeking to maximise the potential of Green Infrastructure to contribute to flood relief.
16. The information submission requirements of condition 17 is tailored towards the application demonstrating compliance with the above referenced policy requirements.
17. The risk of flooding is a key concern of local residents. The proposal includes sustainable drainage measures in the form of an attenuation pond in the north western corner of the site which is designed to hold water and restrict the flow into an existing watercourse. This was selected by the applicant as the most suitable option as initial site investigations revealed that the underlying site deposits are likely to have poor infiltration and so are unlikely to be suitable for soakaways. The unnamed watercourse bordering the western boundary of the site enters and exits the site in the north western extent, therefore, a connection to the unnamed watercourse in this location appears the most practical option and provides the closest connection from the proposed pond. The pond would have multifunctional benefits in the form of biodiversity enhancements and would be managed throughout the lifetime of the development.
18. The submitted information provides:
 - A drainage area plan
 - A ground investigation report
 - A drainage layout drawing
 - Site cross section drawings
 - A flow control manhole drawings

- Hydro brake drawing
 - A flow characteristic drawing
 - A watercourse works drawing
 - Headwall details drawing
 - Drainage calculations
 - Sustainable drainage maintenance plan
19. The above submitted information demonstrates that the proposal would prevent the increased risk of flooding, both on and off site and reduce the run-off to the properties on Town Lane. The existing greenfield surface water run-off rate is calculated at 5.778 l/s per hectare, whereas the proposal would reduce this to 4.32 l/s per hectare. The submitted SuDS maintenance plan outlines the following:
- The initial maintenance of all the drainage systems will be the responsibility of Redrow Homes.
 - A development management company will be established to ensure the SuDS Maintenance Plan is enacted for the pond area.
 - Pond maintenance will be undertaken in line with national SuDS guidance as specified within the SuDS Manual (Version 5) as produced by CIRIA (ISBD: 978-0-86017-760-9).
 - The main roads and sewers will be offered for adoption under Section 28 of the Highways Act 1980 and Section 104 of the Water Industry Act 1991 (as amended by the Water Act 2003) respectively.
 - Individual plots will be the responsibility of future owners to maintain, whether privately owned or through a housing association.
 - Further details are provided within the plan, such as frequency of maintenance visits and actions to be undertaken during visits.
20. The proposal, therefore, accords with national and local planning policy with regards to flood risk and surface water drainage and is acceptable in this regard. United Utilities and the Lead Local Flood Authority have raised no objection to the discharge of condition application.

CONCLUSION

21. The Council's expert consultees with regards to drainage, United Utilities and Lancashire County Council as Lead Local Flood Authority, have raised no objection to the drainage details submitted. The submitted details meet the requirements of condition 17 and are, therefore, considered acceptable. It is recommended that the discharge of condition application be approved.

RELEVANT HISTORY OF THE SITE

Ref: 13/01055/OUTMAJ **Decision:** PEROPP **Decision Date:** 13 January 2020
Description: Outline application (specifying the access) for residential development comprising up to 83 dwellings with vehicular access to be taken from Royton Drive.

Ref: 19/00830/REMMAJ **Decision:** PERRES **Decision Date:** 15 January 2020
Description: Reserved matters application for the erection of 53 dwellings (appearance, landscaping, layout, and scale) pursuant to outline planning permission 13/01055/OUTMAJ (Outline application (specifying the access) for residential development comprising up to 83 dwellings with vehicular access to be taken from Royton Drive).

Ref: 20/00144/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge conditions 3 (restrictive access), 8 (ground investigations), 10 (dwelling emission rates) and 23 (landscape and environmental management plan) of outline planning permission ref. 13/01055/OUTMAJ

Ref: 20/00197/DIS

Decision: PCO

Decision Date: Pending

Description: Application to discharge conditions nos. 9 (estate street phasing and completion plan), 11 (management and maintenance of the proposed streets), 12 (engineering, drainage, street lighting and construction details of the streets) and 16 (construction method statement) of reserved matters consent 19/00830/REMAJ (Erection of 53 dwellings (appearance, landscaping layout and scale) pursuant to outline planning permission 13/01055/OUTMAJ (Outline application (specifying the access) for residential development comprising up to 83 dwellings with vehicular access to be taken from Royton Drive)).

Ref: 20/00289/DIS

Decision: PCO

Decision Date: Pending

Description: Application to discharge condition nos. 13 (travel plan) and 18 (invasive species) of reserved matters consent 19/00830/REMAJ (Erection of 53 dwellings (appearance, landscaping layout and scale) pursuant to outline planning permission 13/01055/OUTMAJ (Outline application (specifying the access) for residential development comprising up to 83 dwellings with vehicular access to be taken from Royton Drive)).